

Chapter 76

ALARMS

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[HISTORY: Adopted by the Common Council of the City of Franklin 8-5-1997 by Ord. No. 97-1461 as Sec. 13.245 of the 1997 Code. Amendments noted where applicable.]

GENERAL REFERENCES

Fire Department — See Ch. 44.
Police Department — See Ch. 67.

Licenses and permits — See Ch. 169.

§ 76-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ALARM SYSTEMS — Fire, burglar or other detection systems connected to the Police Department alarm panel or a commercial alarm company to alert the Police and Fire Departments of danger to persons or property.

FIRE, SMOKE, WATER FLOW AND HEAT DETECTION SYSTEMS — Any device designed to automatically detect the existence of fire, smoke, automatic activation of water flow in a sprinkler system and extreme heat which automatically sounds an alarm at the police station or a commercial alarm company.

INTRUSION ALARMS SYSTEMS — Any device designed to automatically detect an unauthorized entry into a building and automatically sound an alarm at the police station or a commercial alarm company.

LOCAL ALARM SYSTEMS — Any detecting device that gives a visible or audible signal to persons in the vicinity of the premises.

PERSON — Includes any individual, corporation or association.

§ 76-2. Prohibitions.

- A. Except for those residences connected to the alarm system of the City Police Department on the effective date of this chapter, no additional residential connections shall be allowed to such municipal alarm systems without the approval of the Police Chief, who shall only

allow connection by reason of an unusual danger. Such limitation shall not apply to fire, smoke, water flow and heat detection systems.

- B. No person shall use or cause to be used any telephone, electronic device or other attachment that automatically selects a primary telephone trunk line of the Police or Fire Department and then reproduces any prerecorded message to report any burglary or other emergency.
- C. No person shall provide a private alarm system programmed to a central office unless it shall also maintain a patrol and maintenance service capable of immediately dispatching a company representative to respond within 30 minutes to the location of any alarm transmitted to the central office during the hours such system is in operation.
- D. No alarm systems requiring a permit shall be installed within the city without the Underwriters Laboratories' approval.
- E. No local alarm system shall be designed and maintained unless it automatically resets or shuts off the local portion of the alarm signal within 10 minutes of activation.

§ 76-3. Permit required.

- A. At least 10 days prior to the installation of an intrusion alarm system, a fire, smoke, water flow and heat detection alarm system or local alarm system, the owner or lessee seeking to install the system shall apply for an alarm permit. Such application shall include the following:
 - (1) The name of the applicant.
 - (2) The address of the premises where the alarm system will be installed.
 - (3) Satisfactory proof that the contemplated system conforms with the city code requirements.
 - (4) The identity of a person or persons to be contacted in the event of an alarm signal.
 - (5) Such other information as the Chiefs of the Police and Fire Departments may deem necessary for safe and proper emergency response by their departments.
- B. An alarm permit shall be issued by the City Clerk for a period of one year, renewable automatically for each succeeding 12 months, except that any change resulting in a decrease of service by or the identity of the commercial alarm company shall require a new permit, upon the filing of an alarm permit application which has been approved by the Fire Chief in the case of fire, smoke, water flow and heat detecting alarms and by the Police Chief in the case of all other alarms and upon payment of the permit fee.
- C. The Fire Chief in the case of fire, smoke, water flow and heat detection alarms and the Police Chief in the case of all other alarms may cancel any permit under this chapter if, in the judgment of such Chief, the continued operation of the alarm system is not consistent with the purpose of this chapter or if due to malfunction, improper maintenance or other cause, there are an unreasonable number of false alarms. Prior to cancellation, the permit holder shall be given written notice of the intended cancellation and shall be given an opportunity to be heard in a due process hearing before the City Council.

- D. Those persons presently having alarm systems which are prohibited in this chapter shall be permitted to maintain the connection until January 1, 1990, after which date failure to disconnect shall be considered a violation of this chapter.

§ 76-4. Exemption from permit requirements.

No permit shall be required for:

- A. Private smoke detectors.
- B. Alarm systems used solely to warn inhabitants of a structure of an occurrence where the signal does not carry to adjoining property or public ways.

§ 76-5. Permit fees.

- A. Alarm devices. Whenever an alarm device is used for fire or police protection necessitating installation within the Municipal Building, the fire alarm system must be approved by the Fire Chief, and the police alarm system must be approved by the Police Chief. Such system must have the approval of a recognized rating bureau. An application describing such systems shall be filed with the City, accompanied by a fee as provided in Chapter 169, Licenses and Permits, for fire alarm systems or police alarm systems, which shall be used to reimburse the city for the cost of installation within the Municipal Building. An annual fee as provided in Chapter 169 is established for users of fire and police alarms so as to provide funds for necessary maintenance of city equipment used in conjunction with the alarms.
- B. Other alarm systems requiring permit. An initial fee as provided in Chapter 169, Licenses and Permits, is established for other alarm devices requiring a permit.

§ 76-6. Conditions to be accepted by permit holder.

- A. The city shall not be responsible for normal line mileage charges assessed by the telephone company to subscribers from their alarm terminal to the city dispatch center. Such costs are not included in the schedule of installation or maintenance fees under § 76-5 hereof.
- B. Upon completion of installation, the system shall be tested by a factory representative or by the installer in the presence of the permit holder or his or her authorized agent and by a representative of the Fire or Police Departments to ensure that the system operates in conformance to the specifications as approved. Subsequent tests shall be made at the frequency recommended by the appropriate standard or the Fire and/or Police Chief.
- C. In the event that the Fire or Police Department responds to an alarm at the premises covered by the alarm system and neither the permit holder nor his or her authorized agent is present, the permit holder consents to a municipal breaking and entering of the premises to ascertain the cause of the alarm.
- D. The permit holder consents to the imposition and payment of the false alarm service charge hereinafter imposed.

§ 76-7. False alarms.

- A. No person owning, using or possessing an alarm system shall intentionally cause or permit the giving of a false alarm.
- B. Any person who owns or possesses an alarm system requiring a permit shall be charged a fee by an invoice from the office of the City Clerk for false alarms in accordance with the following schedule:
- (1) Fire alarms. For false alarms which result in the response of Fire Department personnel and equipment, an amount equal to the actual cost of the response as determined by the Fire Chief shall be paid for each false alarm in excess of three during any calendar year.
 - (2) Other alarms. For any other false alarm resulting in the response of Police Department personnel, the following fees shall apply to false alarms during any calendar year:

| Number of alarms | Charge |
|------------------|-----------------------|
| 0 to 3 | No charge |
| 4 to 5 | \$25 per false alarm |
| 6 to 9 | \$50 per false alarm |
| 10 or more | \$100 per false alarm |

- (3) Exemption. When the Police Chief or Fire Chief determines that the cause of false alarm was beyond the control of a permittee, that false alarm may be exempted from this provision.

§ 76-8. Enforcement.

The Police Department is authorized to issue citations and summons for violations of this chapter.

§ 76-9. Violations and penalties.¹

- A. In addition to the suspension or revocation of any license or permit granted under this chapter, any person who shall violate any provision of this chapter shall be subject to a penalty as provided in Chapter 1, General Provisions, § 1-19.
- B. The false alarm charges set forth in § 76-7 hereof shall be added as and for the forfeiture amount on the citation, if not voluntarily paid upon receipt of invoice.

¹ Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).